

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARIA D.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. C23-1253 RSM

**ORDER DISMISSING THE CASE**

This matter is before the Court on Plaintiff's Stipulated Motion to Dismiss the Case. Dkt. 26. Having considered the relevant record, the Court GRANTS Plaintiff's Motion and terminates Plaintiff's Motion for Summary Judgment (Dkt. 9), Defendant's Motion for Extension of Time (Dkt. 17), and Defendant's Motion to Dismiss (Dkt. 19) as MOOT.

Plaintiff alleged the Social Security Administration (SSA) refused to pay her back-owed divorced spouse benefits based on a partially favorable decision by an Administrative Law Judge from November 2022. *See* Dkt. 6 at 3. Defendant argued Plaintiff could not seek judicial review because she did not exhaust her administrative remedies. *See* Dkt. 19. After reviewing the record, the Court deferred addressing the parties' motions until January 26, 2024. Dkt. 25. In its Order Re-noting the Parties' Motions, the Court pointed out that Plaintiff did not seem to be seeking judicial review and that Defendant implied there was an administrative remedy available

1 that could result in the relief Plaintiff was seeking. *See* Dkt. 25. The Court, therefore, found it  
2 appropriate to give the agency 60 days to consider Plaintiff's concerns in her complaint. *Id.*

3 Plaintiff filed this instant Motion on January 8, 2024, stating that the agency has notified  
4 her of her owed benefits, that the agency will send her a check for those benefits, and that  
5 "[t]hese developments resolve the issues in [her] complaint." Dkt. 26. at 3. Plaintiff also states  
6 the parties have stipulated that this case be dismissed. *Id.* Given the parties' stipulation, the  
7 Court accordingly dismisses this case with prejudice.

8 DATED this 10th day of January, 2024.

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10 RICARDO S. MARTINEZ  
11 UNITED STATES DISTRICT JUDGE  
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